

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIS DAVIS,

Petitioner,

v.

L. MARTINEZ, Warden,

Respondent.

No. 2:21-cv-2164 WBS DB P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 3, 2022, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within thirty days. (ECF No. 6.) Petitioner has filed objections to the findings and recommendations. (ECF No. 9.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 3, 2022, are adopted in full;

2. Petition is dismissed because the sole ground alleged is not cognizable in a federal habeas action; and

3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: March 22, 2022



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

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